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6 Attorneys for John Lenhart

8 MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

9 JOHN LENHART,

11 Plaintiff,

-vs-

12 GATES CORPORATION,

13 Defendant.

Cause No. **DV 06 - 0695**
Judge **RUSSELL C. FAGE**

CV-07-75-BLG-RFC-CSO
COMPLAINT AND DEMAND FOR
JURY TRIAL

120/157475

14 John Lenhart, plaintiff, alleges and complains as follows:

15 1. The name, address and telephone number of plaintiff are:

17 John Lenhart
4611 Harvest Lane
18 Billings, Montana 59106
(telephone: (406) 656-0743

19 2. The name, address and telephone number of defendant are:

21 Gates Corporation
1551 Wewatta Street
22 Denver, Colorado 80202,
(telephone: (303)744-1911)

23 3. On October 14, 2005, plaintiff filed a complaint alleging workplace age discrimination with
24 the Department of Labor and Industry Human Rights Commission of the state of Montana.

25 4. On April 10, 2006, plaintiff received a letter from the Human Rights Bureau dismissing the

1 complaint based on a no reasonable cause finding.

2 5. Plaintiff was employed as a District Sales Manager for Gates Corporation from 1989 until
3 April 15, 2005.

4 6. On April 15, 2005, plaintiff was terminated without notice or reason.

5 7. On the date of his termination, plaintiff was 58 years of age and was a member of a protected
6 class for the purposes of determining employment discrimination under both state and federal
7 law.

8 8. During the five years prior to termination, plaintiff had only three evaluations. All but one
9 evaluation described plaintiff's work as satisfactory. The one exception originally described
10 plaintiff as satisfactory but was later altered by defendant without plaintiff's knowledge.

11 9. Defendant terminated plaintiff on the basis of age in violation of federal and state law

12 10. Defendant replaced plaintiff with a substantially younger employee.

13 11. Defendant is engaged in a repeating pattern of terminating employees or forcing them to
14 resign on the basis of age.

15 12. Plaintiff was discriminated against by Defendant because of his age.

16 WHEREFORE plaintiff prays:

17 1. For an award for all damages allowed by law.

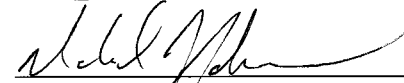
18 2. For attorney's fees and costs.

19 3. For other such relief as the Court may deem just.

20 4. Plaintiff demands trial by jury of all issues so triable.

21 DATED this 7th day of July, 2006.

22 AXILON LAW GROUP

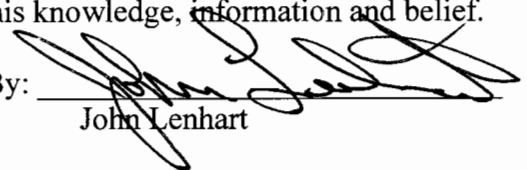
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24 Tom Singer
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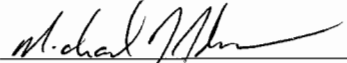
1 STATE OF MONTANA)
2) :ss
3 County of Yellowstone)

4 John Lenhart, being first duly sworn upon his oath, deposes and states as follows:

5 That he is the plaintiff in the foregoing instrument; that he has read the foregoing Complaint
6 and Demand for Jury Trial and knows the contents thereof, and the facts and matters contained
7 therein are true, accurate and complete to the best of his knowledge, information and belief.

8 By: 
9 John Lenhart

10 SUBSCRIBED AND SWORN TO, before me, a Notary Public, this 7th day of
11 July, 2006

12 
Notary Public for the State of Montana

MICHAEL S JOHNSON
Printed Name of Notary

Residing At: Billings MT

My Commission Expires: 1-25-2010

